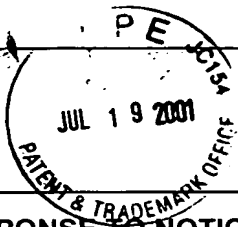


036



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**RESPONSE TO NOTICE TO FILE CORRECTED
APPLICATION PAPERS - FILING DATE GRANTED**

Docket Number:
11890/1

Application Number
09/782,354

Filing Date
February 12, 2001

Examiner
Not Yet Assigned

Art Unit
2633

Invention Title
METHOD AND APPARATUS FOR OPTICAL DATA
TRANSMISSION AT HIGH DATA RATES WITH ENHANCED
CAPACITY USING POLARIZATION MULTIPLEXING

Inventor(s)
SCHEMMANN, et al.

Address to:
Assistant Commissioner for Patents
Washington D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

Date: 7/16/01 Reg. No. P-48,673

Signature: Howard Grossman
Howard Grossman

In response to the May 16, 2001 Notice to File Corrected Application Papers, please find enclosed:

1. Eight (8) sheets of substitute drawings in compliance with 37 CFR 1.84.
2. A Preliminary Amendment in response to omitted Figure 9.
3. The deadline set for filing a response to the May 16, 2001 Notice to File Corrected Application Papers expires on July 16, 2001. Therefore, no fee is deemed necessary in the filing of this response. However, the Commissioner is also authorized to charge any necessary fees in connection with this paper to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.
4. A copy of the Notice to File Corrected Application Papers mailed May 16, 2001 is also enclosed.

Dated: 7/16/01

By: Howard Grossman
Howard Grossman (Reg. No. P-48,673)
KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)



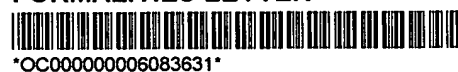
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/782,354	02/12/2001	Marcel F.C. Schemmann	11890/1

CONFIRMATION NO. 7787

FORMALITIES LETTER



OC00000006083631

Gerard A. Messina
KENYON & KENYON
One Broadway
New York, NY 10004-1050

Date Mailed: 05/16/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 9 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

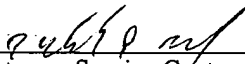
II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

2005 JUL 19 15:28:46

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

097823460
F20-45623460